

REMARKS

Reconsideration of the application is respectfully requested. Pursuant to a telephone conversation with the Examiner on 13 June 2003, a prior application paragraph has been added below the title of the patent application. As requested by the Examiner, a copy of both pages of the combined declaration and power of attorney has been included.

Claims 1, 2 and 4-8 were rejected under Section 102 as being anticipated by Muroya. This rejection is respectfully traversed. The amended claim 1 does not contain any new matter and is fully supported by the patent specification.

To summarize, the method of the binary signature device system of the present invention is an effective way of identifying a handwritten signature of the user. The user's signature may be used to uniquely identify the person and replace various passwords and other codes that are required by institutions such as banks and other authorities that have information that is protected from the public. An important feature of the present invention is that the user may gain access to the database of the computer system by inserting the pen into the opening of the surface unit.

Muroya merely shows a handwritten character verification method. It is submitted that Muroya completely

fails to teach or suggest the use of the opening by the pen as claimed in the amended claim 1. Muroya is using complicated warp and cumulative functions to compare differences between signatures. None of the cited references, including Muroya, shows the step of using an opening in the writing unit to gain access to a database.

None of the cited references teaches or suggests the features of the amended claim 1. Applicant submits that a person of ordinary skill would not turn to Muroya to learn about the steps of inserting the pen to gain access to the database when such step is completely missing from Muroya and the other cited references.

It is therefore submitted that the amended claim 1 is allowable.

Claims 2, 4-8 are submitted to be allowable because they depend upon the allowable base claim 1 and because each claim includes limitations not taught or suggested in the cited references.

Claims 9-11, 13-15 and 17 were rejected under Section 103 as being obvious over Muroya in view of Thompson. This rejection is respectfully traversed.

It is submitted that Thompson is not prior art. Thompson was filed on 5 April 2000. The current application claims priority from provisional patent application serial no.

60/192,498 filed on 28 March 2000 that was before the filing date of Thompson. The original provisional patent application discloses the information covered by the claims so that the priority application fully supports the claims for priority purposes. It is respectfully requested that the Section 103 rejection be withdrawn.

It is therefore submitted that claims 9-11, 13-15, 17 are in condition for allowance and such action is respectfully requested.

Claim 3 was rejected under Section 103 as being obvious over Muroya in view of Zank. This rejection is respectfully traversed.

It is submitted that claim 3 is allowable because the claim depends upon an allowable base claim 1 and because the claim includes limitations that are not taught or suggested in the cited reference.

Claims 12 and 16 were rejected under Section 103 as being obvious over Muroya in view of Zank and Thompson. This rejection is respectfully traversed.

As explained above, it is submitted that Thompson is not a prior art reference and that the Section 103 rejection should be withdrawn.

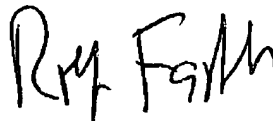
Claims 12 and 16 are therefore submitted to be in condition for allowance.

The added claim 18 is submitted to be allowable over the cited references. The claim does not contain any new matter. It is submitted that none of the cited references teaches or suggests the step of inserting the upper end of the pen (that is opposite the writing tip) into the opening of the writing surface to activate the computer system in addition to the other limitations of the claim. Claim 18 is submitted to be allowable.

The application is submitted to be in condition for allowance, and such action is respectfully requested.

Respectfully submitted,

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Date of Mailing, 28 march 2001

RPIg 3/27/01 120.071FAT

COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

As a below named inventor, I heraby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled BINARY SIGNATURE DEVICE SYSTEM, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a). If this is a continuation-in-part application filed under the conditions specified in 35 U.S.C. § 120 which discloses and claims subject matter in addition to that disclosed in the prior copending application, I further acknowledge the duty to disclose material information as defined in 37 CFR §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
<u>N/A</u> (Number)	<u>N/A</u> (Country)	<u>(N/A)</u> (Day/Month/Year)	[] Yes	[X] No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>60/192,498</u> (Application Serial No.)	<u>3/28/2000</u> (Filing Date)	<u>Pending</u> (Status: patented, pending, abandoned)

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Date of Mailing: 28 March 2001

RPM 3/27/01 20:07/PAT

The undersigned heraby authorizes Rolf Fasth, the U.S. attorney named herein, to accept and follow instructions from (not applicable) as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between Rolf Fasth and the undersigned. In the event of a change in the persons from whom instructions may be taken, Rolf Fasth will be so notified by the undersigned.

I heraby appoint Rolf Fasth, Registration No. 36,999, to prosecute this application, to file a corresponding international application, and to transact all business in the Patent and Trademark Office connected therewith.

Address all telephone calls to Rolf Fasth at telephone number (904) 288-0262, fax number (904) 288-0263.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole inventor: Robert Carlback

Inventor's signature

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2001-03-28

Date

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